

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

KENYATTA LAJUAN DANIELS,

Defendant-Appellant.

UNPUBLISHED
February 22, 2007

No. 265367
Wayne Circuit Court
LC No. 05-004009-01

Before: Murphy, P.J. and Smolenski and Kelly, JJ.

PER CURIAM.

Following a jury trial, defendant was convicted of felon in possession of a firearm, MCL 750.224f, felony-firearm, MCL 750.227b, and operating while intoxicated, MCL 257.625(1).¹ Defendant was sentenced to two years in prison for the felony-firearm conviction, and two years' probation for the felon in possession of a firearm and operating while intoxicated convictions. Defendant appeals of right. We reverse in part and affirm in part. This case is being decided without oral argument pursuant to MCR 7.214(E).

Defendant argues that the evidence was insufficient to support his convictions for felon in possession of a firearm and felony-firearm. In response, plaintiff filed a confession of error conceding that the evidence was insufficient to support these convictions. We agree and reverse defendant's convictions of felon in possession of a firearm and felony-firearm. We affirm defendant's conviction and sentence of operating while intoxicated.²

¹ Defendant was acquitted of an additional charge of carrying a concealed weapon, MCL 750.227.

² Defendant does not challenge either his conviction or sentence with respect to his conviction of operating while intoxicated.

Reversed in part, affirmed in part and remanded to correct the judgment of sentence. We do not retain jurisdiction.

/s/ William B. Murphy
/s/ Kirsten Frank Kelly